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SOCIAL AND ECONOMIC LEGISLATION OF THE STATES IN 1892.

THE more important results of the legislative action of the various States, in so far as that action directly affects economic and social interests, have twice been summarized in this *Journal*.* The year just closed was comparatively barren of such results. Only a few legislatures were in session; and, as a rule, the laws enacted were of minor importance. Some of them, however, deserve the attention of the economist, not so much because of intrinsic importance as because of the tendencies which they illustrate and represent.

The Maryland law defining the duties of the Bureau of Industrial Statistics has been revised and amended. In addition to the collection of statistics concerning the condition of labor and wages, the causes of strikes, and the like, it is made the business of the Bureau to investigate the agricultural, mining, and transportation interests of the State, and to keep a "bureau of general information." What is meant to be included in the last-named function is not clear; but, as an aid to the chief of the Bureau in conducting this branch of the work, all State officers are directed to transmit to him their official reports as soon as printed.

In Ohio eight additional inspectors of workshops and factories have been appointed.

The New Jersey arbitration law is very similar to that of New York. It is intended to apply to all grievances or disputes "growing out of the relation of employer and employees." The local board for the adjudication of such differences is to consist of five persons, two of whom are to be designated by the labor organization whose members are involved, and two by the employer, while the four thus chosen are to designate a fifth person to act as chairman of the board. In case the employees concerned are not members of any union, they may nominate two arbitrators by majority vote at a

* *Quarterly Journal of Economics*, April, 1891, and January, 1892.

meeting called for the purpose. As in New York, the initiative in forming this board can only be taken by the parties themselves; and neither party can be forced to submit to arbitration. After organization, but before any action can be taken, the board must be licensed by the county judge, whose duty it is to make an order establishing the board, and referring to it all the matters in dispute. Each of the arbitrators is required to sign a consent to act in such capacity, and to take an oath to faithfully and impartially discharge the duties of the office. One of the members is then chosen secretary, and the parties receive notice of a time and place of hearing. In administering oaths and issuing subpoenas for the production of books and papers and the attendance of witnesses, the board has all the power possessed by any court of record. Within ten days after the conclusion of the hearing a decision must be rendered, either by the full board or by a majority of its members. An appeal may, however, be taken to the State Board of Arbitration, which is a permanent commission of three members holding office for terms of five years each, one of the three being a member of a *bona fide* labor organization of the State. This State Board also has the powers of a court of record. It becomes its duty to investigate all cases of appeal from the decisions of local boards, and its adjudication in such cases shall be final and conclusive. Findings must be approved by a majority of the board. Grievances may be submitted directly to the State Board, without the intervention of any local process. Furthermore, it is made the duty of the Board to investigate strikes and lockouts, and to endeavor to settle such difficulties by mediation. An annual report to the legislature of all the operations of the Board is required.

In New York the so-called "anti-Pinkerton Bill" was finally passed. This measure is similar to those brought forward during the past two years in other States, and simply forbids the employment of peace officers who are not citizens. Essentially the same law was passed in Massachusetts.

Ohio limits the number of inmates of prisons, reformatories, and workhouses who may be employed in the manufacture of any kind of goods to five per cent. of the total number of free

laborers in the State engaged in the same industry, except in manufactures employing not more than fifty free laborers.

The New York statute relating to the sale of clothing made in dwellings is more radical than that of Massachusetts. It not only provides for inspection and supervision, but goes so far as to absolutely prohibit the manufacture of clothing in rooms used for eating or sleeping, except by members of the family occupying such rooms.

In Massachusetts the labor of women, and of minors under eighteen, in factories, was restricted to a maximum of fifty-eight hours per week. New Jersey factory employees secured the Saturday half-holiday. Beyond these two instances there was little general legislation relating to hours of labor.

Other laws especially affecting the laboring classes are: those in Iowa, Maryland, and New Jersey, for the protection of labor unions in the use of trade-marks and labels; those in South Carolina, Virginia, and Utah, establishing "Labor Day"; the Iowa law requiring manufacturing and mercantile houses to provide seats for female employees; the Massachusetts enactment prohibiting the coercion of employees into agreements not to join labor organizations; the Virginia prohibition of attempts to prevent discharged employees from obtaining work; and the New York ten-hour law applying to railroad employees.

In Iowa provision is made for two additional forms of insurance,—that of employers against losses caused by the acts of employees, or by accidents to persons or property, and against loss from steam-boiler explosions. Another law of that State restricts the investments of insurance companies to United States and State bonds, bonds and mortgages on unincumbered real estate worth at least twice the amount loaned thereon, exclusive of improvements, and county, city, or school bonds, and national bank stock. In the latter form of security the amount of investment must not exceed five per cent. of the assets. In Maryland co-operative insurance companies are henceforth required to deposit not less than \$10,000 with the insurance commissioner.

The changes in the Virginia law for the regulation of common carriers are deserving of attention. Greater charge for a

shorter than for a longer haul, under similar conditions, is forbidden. Definite provision is made for the interchange of traffic between roads, for the publication of rate schedules and notices of advance in rates, for the maintenance of telegraph offices in depots, and the management of ticket offices, and for penalties in case of infraction of these regulations by the companies. Mississippi also enacts a long and short haul clause, and other safeguards against discrimination. The powers of the Georgia railroad commission are extended to express and telegraph companies.

Virginia decides that the railroad companies operating through lines shall be assessed on the average amount of rolling stock habitually used in the State. No method is prescribed for ascertaining this average amount, beyond dependence on the statements of the company's officers. In the taxation of palace and sleeping-car companies, however, a somewhat different rule is followed. Not the cars themselves, but such a proportion of the capital stock of the companies as is believed to be invested and used in the State, is taxed. This proportion is assumed to be the same as is represented by the ratio of the number of miles of road operated by the palace car company in the State to the total number of miles operated by it. The erroneous nature of calculations from such a basis is quite obvious. The length of road over which the cars are hauled is in itself no criterion of the value of the cars themselves, and cannot be said to represent the proportion of the total capital stock of the companies which is "invested and used in Virginia."

An Iowa law authorizes corporations engaged in the slaughtering and packing business to issue certificates and warehouse receipts for all products stored in their buildings and under their control.

Louisiana has passed a second "anti-trust" law, more rigorous than the first, and operating on foreign corporations with especial severity.

Maryland has fixed on a method for State and local taxation of distilled spirits. The rate of tax is to be the same as on other personal property. Distillers are required to make report to the State tax commissioners of all distilled spirits on

hand January 1. The tax commissioners shall then determine the value, and the owners are forbidden to remove spirits till the tax is paid. This is not a tax on annual product, but on stock in trade.

Apparently in anticipation of an increase in the number of local experiments in municipal ownership of lighting plants, the Massachusetts legislature has made a requirement that all cities and towns report to the State Board of Gas and Electric Light Commissioners on the purchase or establishment of plants and on the fixing or changing of the price of light. The enforcement of this regulation ought to result in the collection of statistics of some value to students of municipal finance. Ohio provides for the formation of municipal gas-works sinking funds for the redemption of bonds issued by municipal corporations for the construction of gas-works.

In several States attention was given to the important question of highway improvement. In Massachusetts a commission of three persons has been appointed to investigate methods of road construction and maintenance. The law creating this commission provides that one member shall be a highway engineer. Under the general road law of Georgia, commissioners of roads and revenues, ordinaries, or county judges, have power to open, change, or continue roads. There is also a system of "registration" of roads to guard against encroachments.

The State of Iowa encourages the holding of farmers' institutes by an appropriation of \$50 to each county for institute expenses. Assessors are charged with the collection of statistics of crops and live stock. Returns are made by them to the county auditors, who, in turn, report to the State Auditor. The State weather and crop service is maintained by an appropriation of \$2,750 a year. Maryland also establishes a weather service, with its central station and office at the Johns Hopkins University. The services of the meteorologists employed are to be rendered without compensation. The Ohio weather bureau is placed under the control of the State Board of Agriculture.

The irrigation laws of our Western States and Territories have to do with interests which are rapidly growing in impor-

tance, and which involve to a great extent the agricultural and commercial development of vast areas. In Utah, as elsewhere in that region generally, ditch and reservoir companies have the right of way over private property. This year provision has been made by the Territorial legislature for cases of disagreement between the construction companies and the owners of lands. Hereafter, in such cases, three resident landholders of the county are to be chosen as appraisers; but an appeal may be taken from their findings by either party to the district court at any time within ten days after the appraisal. Pending such appeal, the construction of the works may proceed. The construction company is made liable for damages to the surrounding land from overflow. Companies are also granted the right to enlarge ditches constructed by other parties, to whom compensation is to be awarded for damages in the same way as to the owners of the lands in case of original construction.

In Maryland, Virginia, South Carolina, and Louisiana laws were made for the protection, regulation, and development of the oyster industry of the coasts and bays of those States. These laws define the rights of riparian owners, restrict the leasing of oyster lands belonging to the State, and provide for the taxation of the grounds, produce, and capital invested, the licensing and registration of vessels engaged in the business, the punishment of depredators, and the inspection of oysters. They also fix the limits of the dredging season. It is evident that each of these States is coming to an appreciation of the economic importance of the oyster fisheries.

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